

22603. Misbranding of Martin's Herb Tablets. U. S. v. 11 Large Packages and 18 Small Packages of Martin's Herb Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31969. Sample no. 60637-A.)

Examination of a sample of Martin's Herb Tablets showed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On February 14, 1934, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 29 large and small packages of Martin's Herb Tablets at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about January 15, 1934, by the Martin Herb Co., from Pittsburgh, Pa., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it contained ground plant material.

It was alleged in the libel that the article was misbranded because of false and fraudulent representations in the labeling regarding its effects in diseases of the stomach, kidneys, liver, bowels, blood, lungs and skin, rheumatism, nervous trouble, dyspepsia, sick and nervous headaches, female complaints, neuralgia, fever and ague, scrofula, erysipelas, catarrh, general debility, intermittent and bilious fevers, typhoid fever, itch, tetter, cancerous affections, jaundice, gravel, dropsy, stoppage of urine, and coughs.

On April 19, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, Acting Secretary of Agriculture.

22604. Misbranding of Oxiton Mouth Wash. U. S. v. 485 Bottles of Oxiton Mouth Wash. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31991. Sample no. 67120-A.)

This case involved a shipment of Oxiton Mouth Wash, the labels of which contained unwarranted therapeutic and curative claims.

On February 15, 1934, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 485 bottles of Oxiton Mouth Wash at Newark, N. J., alleging that the article had been shipped in interstate commerce, on or about October 21, 1932, by Royal Sundries Corporation, from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Oxiton Mouth Wash * * * Oxiton Products Co., Boston, Mass."

Analysis of a sample of the article by this Department showed that it consisted essentially of manganese, sulphate, and water, flavored with oil of cinnamon and colored with amaranth.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the bottle label, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Bottle) "Used by members of the dental and medical professions in the treatment of troublesome mouth conditions, * * * its use leaves the mouth in a healthy * * * condition. * * * In cases of trench mouth, pyorrhea, bleeding and spongy gums use Oxiton full strength as a mouth wash. To keep the gums firm and to assist in overcoming an unhealthy condition caused by food deposits dilute with equal parts of water and rinse the mouth thoroughly."

On May 25, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, Acting Secretary of Agriculture.

22605. Misbranding of East India Injection, Cholerine, Bloodzone, and Bloodzone Special. U. S. v. Benjamin McKenzie (East India Medicine Co.). Plea of nolo contendere. Fine, \$200. (F. & D. no. 31464. Sample nos. 4615-A, 4616-A, 4617-A, 13863-A, 13864-A, 13865-A, 21993-A, 21994-A, 34117-A, 34118-A.)

Examination of the drug preparations in this case showed that they contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed on the labels.